

SENATE BILL 579

E1

0lr1223
CF 0lr1162

By: **Senators Zirkin and Brinkley**
Introduced and read first time: February 4, 2010
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Drug Schedules – Marijuana**

3 FOR the purpose of making marijuana a Schedule II controlled dangerous substance;
4 and generally relating to the classification of controlled dangerous substances.

5 BY renumbering

6 Article – Criminal Law

7 Section 5–403(d), (e), and (f), respectively

8 to be Section 5–403(e), (f), and (g), respectively

9 Annotated Code of Maryland

10 (2002 Volume and 2009 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Criminal Law

13 Section 5–402(d)(1)

14 Annotated Code of Maryland

15 (2002 Volume and 2009 Supplement)

16 BY adding to

17 Article – Criminal Law

18 Section 5–403(d)

19 Annotated Code of Maryland

20 (2002 Volume and 2009 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That Section(s) 5–403(d), (e), and (f), respectively, of Article – Criminal
23 Law of the Annotated Code of Maryland be renumbered to be Section(s) 5–403(e), (f),
24 and (g), respectively.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
26 read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Criminal Law**

2 5–402.

3 (d) (1) A material, compound, mixture, or preparation that contains any of
4 the following hallucinogenic or hallucinogenic–like substances is a substance listed in
5 Schedule I:

6 (i) bufotenine;

7 (ii) diethyltryptamine;

8 (iii) dimethyltryptamine;

9 (iv) 4–methyl–2, 5–dimethoxyamphetamine;

10 (v) ibogaine;

11 (vi) lysergic acid diethylamide;

12 [(vii) marijuana;]

13 [(viii) (VII) mescaline;

14 [(ix) (VIII) peyote;

15 [(x) (IX) psilocybin;

16 [(xi) (X) psilocyn;

17 [(xii) (XI) tetrahydrocannabinol;

18 [(xiii) (XII) thiophene analog of phencyclidine;

19 [(xiv) (XIII) 2, 5–dimethoxyamphetamine;

20 [(xv) (XIV) 4–bromo–2, 5–dimethoxyamphetamine;

21 [(xvi) (XV) 4–methoxyamphetamine;

22 [(xvii) (XVI) 3, 4–methylenedioxyamphetamine;

23 [(xviii) (XVII) 3, 4–methylenedioxymethamphetamine (MDMA);

24 [(xix) (XVIII) 5–methoxy–3, 4–methylenedioxyamphetamine;

1 [(xx)] (XIX) 3, 4, 5-trimethoxyamphetamine;
2 [(xxi)] (XX) N-methyl-3-piperidyl benzilate;
3 [(xxii)] (XXI) N-ethyl-3-piperidyl benzilate;
4 [(xxiii)] (XXII) N-ethyl-1-phenylcyclohexylamine;
5 [(xxiv)] (XXIII) 1-(1-phenylcyclohexyl)-pyrrolidine;
6 [(xxv)] (XXIV) 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
7 [(xxvi)] (XXV) 1-methyl-4-phenyl-4-propionoxypiperidine
8 (MPPP); and
9 [(xxvii)] (XXVI) 1-(2-phenylethyl)-4-phenyl-4-
10 acetyloxypiperidine (PEPAP).
11 5-403.

12 (D) A MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT
13 CONTAINS MARIJUANA IS A SUBSTANCE LISTED IN SCHEDULE II.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2010.